



Legislation Text

File #: O-166-24, Version: 1

[Subject]
[Dept/Division]
[Contact]

Amending and relocating the Sign Code from the Building Code, Chapter 13, Title 9 to The Planning and Zoning Code, Chapter 1113, *Signs* Thereby repealing Chapter 13, Title 9 Sign code and establishing a new Chapter 1113 Signs, and declaring an emergency.

SUMMARY & BACKGROUND:

The request is a text amendment to modify Toledo Municipal Code (TMC) §1113. - Signs to simplify the sign code and bring it into compliance with recent supreme court rulings, update the code's requirements to provide for effective advertising that promotes the aesthetics of subject and surrounding developments, and move the code's applicability and enforcement from the Building Code to the Planning and Zoning Code. Placing the sign code into the Planning and Zoning Code will better resolve sign issues within the City of Toledo, as well as benefit the welfare of City of Toledo citizens.

The current location of the sign code, within the building code, poses challenges for sign contractors and developers. Most cities review signage as a part of the Planning and Zoning Code, and many applicants expect to find signage requirements within the Planning and Zoning Code in Toledo. Sign review is similar to other plan reviews that are completed by the Plan Commissions; planners already review design features such as setbacks, height, landscaping, and building materials. Signage is also considered during site plan reviews and special use permits. For these reasons, the most logical location for the sign code is within the Planning and Zoning Code instead of the Building Code.

Another correction of the Toledo Municipal Code will be made to TMC§1107.2500 - *Sight Distance Setback*; TMC§1103.0706 - *Shopping Center Sign Control Overlay*; TMC§1103.0205 - *Design Guidelines*; TMC§1103.0913 - *Monroe Street Corridor UNO District, Signage*; TMC§1103.1217 - *Summit Street Corridor Redevelopment UNO District*; TMC§1103.1313 - *Main Starr Front Urban Overlay District*; TMC§1103.1413 - *Cherry Street UNO District*; and TMC§1103.1514 - *Warehouse UNO District*. First, TMC§1107.2500 *Sight Distance Setback*, is in place to ensure that no structure on private property can block visibility for motorists, especially around intersections and curved roads. Secondly, the Shopping Center Sign Control Overlay (-SO) is proposed to be simplified and united alongside the new Sign Code. Last, there are several sections of the Planning and Zoning Code which reference the current sign code as Chapter 1387 of the Building Code. With the proposed relocation of the Sign Code to Chapter 1113, these cross-references shall also be corrected.

The proposed text amendment represents a comprehensive re-write and relocation of the City of Toledo sign code. This text amendment is the result of years of work from a task force including members of the Plan Commissions, City Council, Economic Development, the Law Department, Building Inspections, and the Division of Transportation, as well as feedback from the Chamber of Commerce and Toledo’s licensed sign contractors. This proposal will bring the sign code into compliance with recent court rulings, provide for signage that is aesthetically attractive and harmonizes with surrounding neighborhoods, and transfer review and enforcement from the Division of Building Inspections to the Plan Commissions.

This text amendment will provide better enforcement powers of the City of Toledo, and staff will better enforce Zoning violations. Additionally, this text amendment will improve the health, safety, and welfare of City of Toledo citizens.

NOW THEREFORE Be it ordained by the Council of the City of Toledo:

SECTION 1. Toledo Municipal Code Chapter 13, Title 9, Sign Code which reads as follows in attachment Exhibit A, is hereby Repealed.

SECTION 2.. That Toledo Municipal Code, Part Eleven, Subsection 1113, Signs and TMC Chapter 13, Title Nine-Sign Code; which reads as follows;

1113.0100 Sign provisions reference table.

The Sign Provisions Reference Table provides a sign provision reference for each zoning district. The table also shows the zoning district map designations in effect before June 6, 2004, and the districts they are converted to.

<i>Sign Provision</i>	<i>Zoning District Map Designation</i>		<i>Reference</i>
	<i>Existing District</i>	<i>New District</i>	
<i>Sign Provision</i>	<i>Zoning District Map Designation</i>		<i>Reference</i>
	<i>Existing District</i>	<i>New District</i>	
Sign Code			
Residential	R-A, R-B, R-1, R-2, 2A, R-3, R-4, R-4A, and R-MH	RS12, RS9, RS6, RI, RM12, RM24, RM3 and RMH	Part 13 Building Code, Title 9 Sign Code, Section 1387.02 < https://codelibrary.amlegal.com/codes/toledo/latest/toledo_oh/0-0-0-110468 >
Neighborhood Shopping	C-1 and N-MX	CN	Part 13 Building Code, Title 9 Sign Code, Section 1387.03 < https://codelibrary.amlegal.com/codes/toledo/latest/toledo_oh/0-0-0-110476 >

Restricted Office	C-2 and C-7	CO	Part 13 Building Code, Title 9, Sign Code, Section 1387.04 < https://codelibrary.amlegal.com/codes/toledo/latest/toledo_oh/0-0-0-110482 >
Construction of Signs (Commercial and Industrial)	C-3, C-5, M-1, M-2 M-4	CR, CD, IL and IG	Part 13 Building Code, Title 9, Sign Code, Section 1387.05 < https://codelibrary.amlegal.com/codes/toledo/latest/toledo_oh/0-0-0-110488 >
Storefront Commercial [1]			
River East Project	C-6-RE [2]	CS	Land Development Standards for the River East Project, Section XIII
Lagrange Business District	C-6LA [2]	CS	Land Development Standards and Guidelines for Lagrange Central Neighborhood Business District, Section VIII
Heritage South	C-6-HS [2]	CS	Land Development Standards and Guidelines for Heritage South Neighborhood Business District, Section VIII
Additional Sign Provisions			
Mixed Commercial-Residential	C-MX	CM	Section 1113.0201 < https://codelibrary.amlegal.com/codes/toledo/latest/toledo_oh/0-0-0-107115 >
Planned Business/Industrial Park	M-3	IP	Section 1113.0202 < https://codelibrary.amlegal.com/codes/toledo/latest/toledo_oh/0-0-0-107122 >
Parks and Open Space	P	POS	Section 1113.0203 < https://codelibrary.amlegal.com/codes/toledo/latest/toledo_oh/0-0-0-107125 >
Institutional Campus	None	IC	Section 1113.0204 < https://codelibrary.amlegal.com/codes/toledo/latest/toledo_oh/0-0-0-107128 >

Downtown Overlay District	None	-DOD	Section 1103.0205 < https://codelibrary.amlegal.com/codes/toledo/latest/toledo_oh/0-0-0-103445 >
Shopping Center Sign Control Overlay	C-4	-SO	Section 1103.0700 < https://codelibrary.amlegal.com/codes/toledo/latest/toledo_oh/0-0-0-103712 >
Monroe Street Corridor UNO	None	-UNO	Section 1103.0913 < https://codelibrary.amlegal.com/codes/toledo/latest/toledo_oh/0-0-0-103865 >
Summit Street Corridor Redevelopment (SSCR) UNO	None	-UNO	Sec. 1103.1200 < https://codelibrary.amlegal.com/codes/toledo/latest/toledo_oh/0-0-0-127416 >
Main Street/Starr Avenue UNO	None	-UNO	Sec. 1103.1313 < https://codelibrary.amlegal.com/codes/toledo/latest/toledo_oh/0-0-0-131049 >

Table Notes

[1] These are separately adopted ordinances available in the office of the Plan Commission.

[2] See Section [1111.1502](https://codelibrary.amlegal.com/codes/toledo/latest/toledo_oh/0-0-0-106758) <https://codelibrary.amlegal.com/codes/toledo/latest/toledo_oh/0-0-0-106758>. (Ord. 170-04. Passed 3-23-04; Ord. 497-07. Passed 7-24-07; Ord. 38-09. Passed 1-20-09; Ord. 95-10. Passed 3-2-10; Ord. 240-18. Passed 6-19-18.)

1113.0200 Additional sign provisions.

Following are specific sign provisions for several zoning districts not listed in Part 13, Title 9, Sign Code. (Ord. 170-04. Passed 3-23-04.)

1113.0201 CM, Mixed Commercial-Residential District Signs.

Within the CM, Mixed Commercial-Residential District, the following signs are allowed:

A. On-premise free-standing signs are permitted as described in Part 13, Title 9, Section [1387.05](https://codelibrary.amlegal.com/codes/toledo/latest/toledo_oh/0-0-0-110488) <https://codelibrary.amlegal.com/codes/toledo/latest/toledo_oh/0-0-0-110488>(c) of the Sign Code, provided the area of premises covers one acre or more.

B. On-premise fascia signs are permitted as described in Part 13, Title 9, Section [1387.05](https://codelibrary.amlegal.com/codes/toledo/latest/toledo_oh/0-0-0-110488) <https://codelibrary.amlegal.com/codes/toledo/latest/toledo_oh/0-0-0-110488>(d) of the Sign Code.

C. Low profile signs are permitted as described in Part 13, Title 9, Section [1387.02](https://codelibrary.amlegal.com/codes/toledo/latest/toledo_oh/0-0-0-110468) <https://codelibrary.amlegal.com/codes/toledo/latest/toledo_oh/0-0-0-110468>(b)(2) of the Sign Code.

D. On-premise signs on awnings as described in Part 13, Title 9, Section [1387.05](https://codelibrary.amlegal.com/codes/toledo/latest/toledo_oh/0-0-0-110488) <https://codelibrary.amlegal.com/codes/toledo/latest/toledo_oh/0-0-0-110488>(h) of the Sign Code. (Ord. 170-04. Passed 3-23-04.)

1113.0202 IP, Planned Business/ Industrial Park District Signs.

Within the IP, Planned Industrial/Business Park District, signs shall be included as part of the site plan and approved in accordance with Section [1111.0800](https://codelibrary.amlegal.com/codes/toledo/latest/toledo_oh/0-0-0-106299) <https://codelibrary.amlegal.com/codes/toledo/latest/toledo_oh/0-0-0-106299>.

(Ord. 170-04. Passed 3-23-04.)

1113.0203 POS, Parks and Open Space District Signs.

Within the POS, Parks and Open Space District, signs shall be subject to the provisions of Part 13, Title 9, Section [1387.02 <https://codelibrary.amlegal.com/codes/toledo/latest/toledo_oh/0-0-0-110468>](https://codelibrary.amlegal.com/codes/toledo/latest/toledo_oh/0-0-0-110468) of the Sign Code.

(Ord. 170-04. Passed 3-23-04.)

1113.0204 IC, Institutional Campus District Signs.

Within the IC, Institutional Campus District, signs shall be subject to the provisions of Part 13, Title 9, Sections [1387.04 <https://codelibrary.amlegal.com/codes/toledo/latest/toledo_oh/0-0-0-110482>](https://codelibrary.amlegal.com/codes/toledo/latest/toledo_oh/0-0-0-110482) and [1387.05 <https://codelibrary.amlegal.com/codes/toledo/latest/toledo_oh/0-0-0-110488>](https://codelibrary.amlegal.com/codes/toledo/latest/toledo_oh/0-0-0-110488)(h) of the Sign Code.

(Ord. 170-04. Passed 3-23-04.)

1113.0300 Sign Administrator.

See Part 13, Title 9, Section [1381.01 <https://codelibrary.amlegal.com/codes/toledo/latest/toledo_oh/0-0-0-110253>](https://codelibrary.amlegal.com/codes/toledo/latest/toledo_oh/0-0-0-110253) of the Sign Code

(Ord. 170-04. Passed 3-23-04.)

Shall be repealed in its entirety.

SECTION 3. A new Toledo Municipal code Chapter 1113, Signs shall be enacted to read as follows;

Chapter 1113 | Signs

1113.0101 General

1113.0101 Purpose and Intent

The regulations of this chapter are intended to establish standards for the fabrication, erection and use of signs, symbols, markings and/or advertising devices within the City. Signage which follows these standards shall offer effective advertising for Toledo businesses and organizations; preserve and promote the aesthetic appeal, character and value of subject and surrounding developments; and promote the general health, safety, and welfare of the City of Toledo.

1113.0102 Permit Required

Except as otherwise provided in this Chapter, no person shall erect, construct, enlarge, structurally modify, move, or convert from non-EMC to EMC or vice versa any sign in the City without first obtaining a sign permit for each such sign as required by this Chapter. Cabinet face replacements, new channel letters, and EMC cabinet replacements to any existing sign require a sign permit. Copy changes to approved changeable copy signs and EMCs do not require a sign permit. A sign permit is not required for the repainting, cleaning, and other normal maintenance of a sign for which a permit has previously been issued, so long as the sign is not made structurally different in any way.

- A. Every sign permit issued by the Sign Inspector shall become null and void if construction of the sign is not commenced within 180 days from the date of permit approval. If work authorized by such permit is suspended or abandoned for 120 days any time after the work is commenced, a new permit shall be first obtained to do so, and the fee shall be one-half the amount required for a new permit for such work, provided that no changes have been made in the original plans. Such permit may not be unreasonably withheld, providing that proper application and payment of permit fees are submitted in compliance with all requirements of this Chapter.

- B. In emergency situations, where there is imminent danger of personal injury or harm to property, work may be initiated and completed without first applying for a permit. However, a permit shall be applied for within forty-eight hours after the first working day when work has commenced on the sign.
- C. Any permit-requiring work to a new or existing sign in a Historic Overlay or an overlay with an Architectural Review Commission, including the Old West End, Vistula, Westmoreland, the Warehouse District, Uptown District, or any sign on a locally designated Landmark Building must also be approved by the appropriate review committee through the Plan Commissions prior to permit approval and construction.
- D. All signs shall be compliant with the Ohio Building Code, National Electrical Code, other applicable codes, and this Chapter.
- E. Work which does not require a sign permit may still require an electrical permit through the Division of Building Inspections.

1113.0103 Application for Permit

Application for a permit shall be made to the Division of Building Inspections and shall be accompanied by such information as may be required to assure compliance with all appropriate laws and regulations of the City including:

- A. Name and address of the owner of the sign.
- B. Name and address of the owner or the person in possession of the premises where the sign is located or to be located.
- C. Clear and legible drawings with description showing location of the sign which is the subject of the permit, as well as all other existing signs on the same premises.
- D. Colored drawings showing the dimensions, construction supports, foundation, electrical wiring and components, specific materials of the sign and method of attachment and specifications of structure members for attachment. The design, quality, materials and loading shall conform to the requirements of the Ohio Building Code, as amended. If the sign is over 42 inches in height, over 20 square feet in area, or otherwise required by the Division of Building Inspections, engineering data shall be supplied on plans submitted certified by a duly licensed structural engineer.

1113.0104 Permit Issuance; Denial

- A. The Sign Inspector shall issue a permit for the erection, alteration or relocation of a sign within the City within 30 days of proper submittal of a complete application for a proposed sign that complies with all sections of this Chapter and other applicable regulations.
- B. At his or her discretion, the Sign Inspector may notify the applicant of reasons why a sign would be denied, prior to issuing denial, and give the applicant the opportunity to revise the proposal to bring the proposal into compliance with all sections of this Chapter and other applicable regulations.
- C. The Sign Inspector may deny a permit when the application does not comply with all regulations of this Chapter and other applicable regulations of the City. The Sign Inspector shall give notice of the denial to the applicant.
- D. The Sign Inspector may, in writing, suspend or revoke a permit issued under provisions of this Chapter whenever the permit is issued on the basis of a misstatement of fact or fraud.

1113.0105 Permit Fees

All signs are subject to an initial base Sign Permit fee of \$125. This permit fee shall be in addition to other permits required by the division of Building Inspections, including but not limited to building permits and electrical permits.

1113.0106 Effect of Issuance

No permit for a sign issued shall be deemed permission to maintain an unlawful sign or an unlawful use of premises. The Sign Inspector may deny a Sign Permit for a use which is not lawfully permitted on the subject premises.

1113.0107 Permission to Install

No person shall erect or maintain any sign upon any premises without the consent of the owner of the premises or their authorized representatives. In order to obtain a Sign Permit, the applicant must be a licensed sign contractor with the City of Toledo as outlined in Sec. 1113.1100, *License Required* or be the owner of a property and perform all of the installation.

1113.0108 Inspection

The person erecting, altering or relocating a sign shall notify the Division of Building Inspections upon the start of construction and upon completion of the work for which permits are required. All ground signs may be subject to a footing inspection. All electrical signs may be subject to a final electrical inspection by the Division of Building Inspections.

1113.0109 Maintenance

Every sign shall be maintained in good structural condition at all times. Signs shall be kept neatly painted or coated, including all metal parts and supports. Internal features, supports, and electrical components shall remain covered. The Sign Inspector shall have the authority to order the painting, repair, alteration or removal of signs which become dilapidated or are abandoned, or which constitute a physical hazard to public safety.

1113.0110 Unlawful Signs

The Sign Inspector may declare any sign unlawful if it endangers public safety or welfare by reasons of inadequate maintenance, dilapidation, or abandonment. Such declaration shall state the reason(s) why such sign and its keeping, owning, maintenance, construction, and display or operation is unlawful under the terms of this Chapter. Any sign which is installed without the required permit shall be deemed unlawful. An unlawful sign shall be considered a violation of this code and is subject to the penalties outlined in Sec. 1113.0806 *Assessment Procedure*. An unlawful sign shall be considered a nuisance per Sec. 1726.01.

1113.0200 Signs Permitted in Zoning Districts

Permitted signs are organized into two groups: Building Signs and Ground Signs. The sign type permitted is dependent on the zoning district in which the sign is proposed to be located. On the following table, a “P” indicates that the sign is permitted by right in the respective zoning district, subject to compliance with all other applicable regulations of this Chapter. A cell designated with a “_” indicates that the sign is prohibited within the respective zoning district. For other signs not listed in this matrix, see Sec. 1113.0500 *Special Sign Types*

	Residential				Commercial							Industrial		Other			Sec.
	RS	RD	RM	RMH	CN	CO	CM	CS	CR	CR-SO	CD	IL	IG	IP	POS	IC	
Building Signs																	

Wall Sign	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	1113.0305
Projecting Sign	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	1113.0306
Awning or Marquee Sign	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	1113.0307
Window Sign	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	1113.0308
Ground Signs																		
Low Profile	-	-	-	-	P	P	P	P	P	P	P	P	P	P	P	P	P	1113.0404
Medium Profile	-	-	-	-	P	P	P	P	P	P	P	P	P	P	P	P	P	1113.0405
High Profile	-	-	-	-	-	P	-	-	P	P	-	-	P	-	-	-	P	1113.0406
Shopping Center	-	-	-	-	-	-	-	-	-	P	-	-	-	-	-	-	-	1113.0407
Residential Monument Sign	P	P	P	P	-	-	-	-	-	-	-	-	-	-	-	-	-	1113.0408
A-Frame Sign	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	1113.0409

1113.0300 Building Signs

1113.0301 Purpose

These regulations provide requirements for signs when attached to or applied to a building.

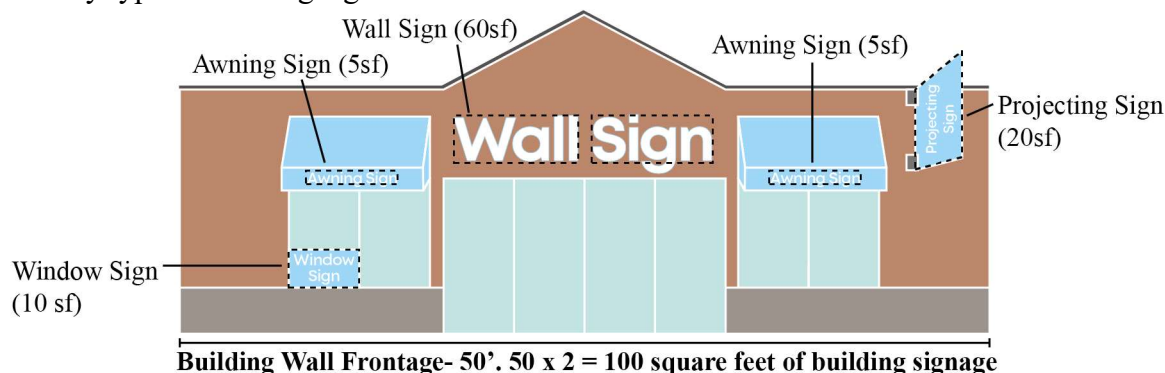
1113.0302 Types of Building Signs

Building Signs include all permanent signs which are attached to or applied to a building. Each of the following is considered a building sign, and specific standards can be found in the following sections:

- A. Sec. 1113.0305 *Wall sign*
- B. Sec. 1113.0306 *Projecting Sign*
- C. Sec. 1113.0307 *Awning or Marquee Sign*
- D. Sec. 1113.0308 *Window Sign*

1113.0303 Total Building Sign Area Allocation

All building signs are collectively limited to a maximum total area of 2 square feet per 1 linear foot of building wall frontage facing a public street, excluding alleys. This standard applies to any number and any type of building signs.



Sign allocation for a tenant in a multi-tenant development is limited to a maximum total area of 2 square feet per 1 linear foot of building wall frontage on exterior walls of the tenant space which contain a primary customer entrance. For additional requirements for properties within the -SO, see Sec. 1103.0700 *Shopping Center Sign Control Overlay District*.

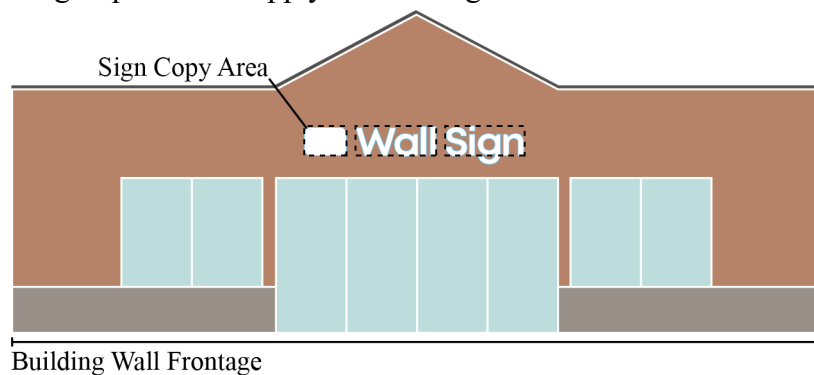
1113.0304 Building Sign Standards

The following standards apply to all building signs:

- A. A building sign shall not obstruct any architectural feature, including but not limited to columns, sills, lintels, cornice features, decorative masonry, doors, or windows except as permitted in Sec. 1113.0308 *Window Signs*.
- B. No building sign may extend above the height of the building, excluding antennas and other non-structural equipment. The height of the building may not be artificially increased for the purpose of accommodating signage, with the exception of an architectural parapet wall.
- C. A building sign shall be designed to permit visibility of neighboring buildings, including neighboring signage.
- D. Right-of-way encroachment is permitted by-right for building signs, so long as no portion of the building sign is attached to the ground. Building signage which is attached to the ground, such as an awning with vertical supports, requires obtaining a Right-of-Way Encroachment Permit from the Division of Building Inspections.
- E. For permitted materials, see Sec. 1113.1001 *Permitted Materials for Permanent Signs*.
- F. In any residential zoning classification, a building sign is only permitted on a property with frontage on a Major Street, or to advertise a development with at least 5000 square feet of total floor area.

1113.0305 Wall Sign

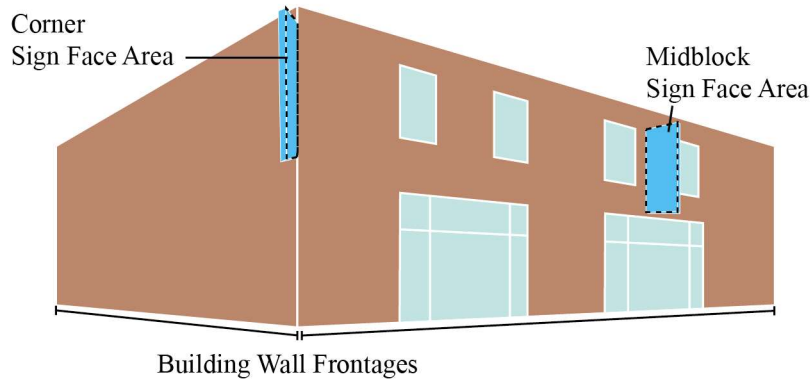
The following requirements apply to wall signs:



- A. A Sign Permit is required
- B. For size requirements, see Sec. 1113.0303 *Total Building Sign Area Allocation*.
- C. The area of a wall sign is determined by the total copy area. For definitions and calculations, see Sec. 1113.1216 *Copy Area*.
- D. A roof-mounted sign is subject to the standards for a Wall Sign and is permitted on a gabled, hipped, gambrel, or mansard roof. No portion of the sign may extend vertically beyond the highest portion of any roof per Sec. 1113.0304 *Building Sign Standards*.
- E. For raceway-mounted signage, the raceway shall be colored to match the building material behind it.
- F. For Murals, see Sec. 1113.0509 *Mural*
- G. See Sec. 1113.0304 *Building Sign Standards*

1113.0306 Projecting Sign

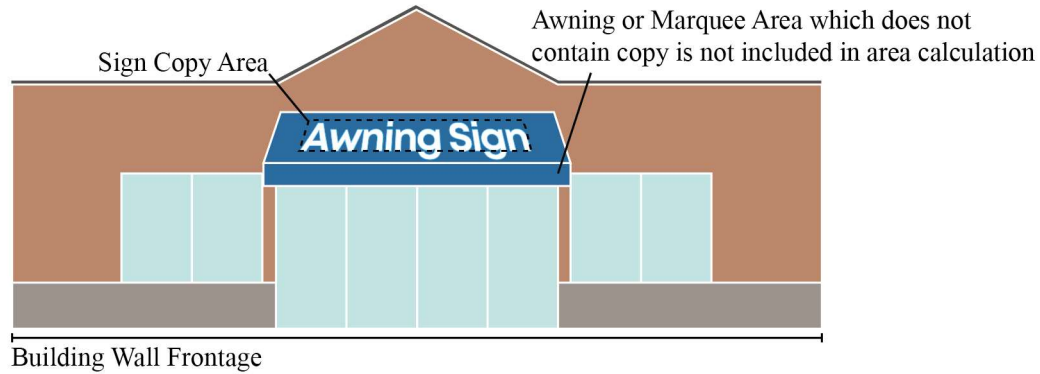
The following requirements apply to projecting signs:



- A. A Sign Permit is required.
- B. For size requirements, see Sec. 1113.0303 *Total Building Sign Area Allocation*.
- C. The area of a projecting sign is determined by the smallest rectangle that can be drawn around the sign face area of one of the two identical sign faces, excluding support brackets.
- D. For a midblock projecting sign which projects at a 90° angle from the building face, the following standards apply:
 - 1. The maximum sign face area is limited to 60 square feet.
 - 2. The maximum height of the sign is limited to 16 feet, measured from the lowest point of the sign to the highest point of the sign.
- E. For a projecting sign located on the corner of two or more streets which projects at a 135° angle from each building face, or an angle that follows the building corner if the corner is not a right angle, the following standards apply:
 - 1. The maximum sign face area is limited to 80 square feet.
 - 2. The maximum height of the sign is limited to 20 feet, measured from the lowest point of the sign to the highest point of the sign.
- F. A maximum of one projecting sign is permitted per business, per frontage.
- G. A business which has a projecting sign located at the corner may not also have a projecting sign located midblock.
- H. A projecting sign which allows the sign to swing due to wind shall not exceed 16 square feet in area.
- I. The minimum clear height between the ground beneath the sign and the lowest point of the sign is 8 feet.
- J. The maximum projection from the wall is 6 feet.
- K. The minimum setback between the curb location and any portion of the sign is 2 feet.
- L. No portion of a projecting sign may extend beyond the top of the third story or the top of the building.
- M. See Sec. 1113.0304 *Building Sign Standards*

1113.0307 Awning or Marquee Sign

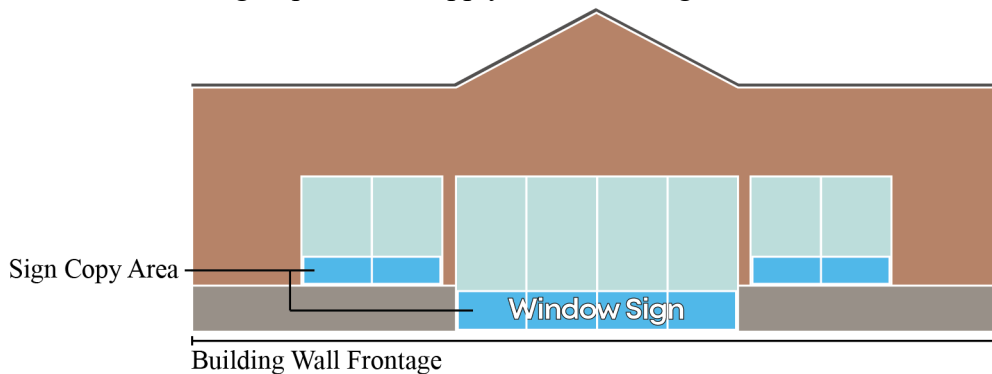
The following requirements apply to awning or marquee signs:



- A. A Sign permit is required.
- B. For size requirements, see Sec. 1113.0303 *Total Building Sign Area Allocation*.
- C. The area of an Awning or Marquee Sign is determined by calculating the total copy area.
- D. The minimum clear height between the ground beneath the sign and the lowest point of the sign, including any support structure, is 8 feet.
- E. The minimum setback between the curb location and any portion of the sign is 2 feet.
- F. Colors for awnings shall be in compliance with Sec. 1109.0500 *Building Façade Materials and Color*.
- G. Copy shall not extend outside the overall length or width of an awning or marquee.
- H. See Sec. 1113.0304 *Building Sign Standards*.

1113.0308 Window Sign

The following requirements apply to window signs:



- A. A Sign Permit is not required.
- B. For size requirements, see Sec. 1113.0303 *Total Building Sign Area Allocation*.
- C. The area of a Window Sign is determined by calculating the total window area that is made partially or fully opaque as a result of proposed signage. This shall include copy as well as background area, graphics, and portions of the sign which do not contain copy.
- D. Window signage and similar obstructions may occupy up to 25% of the total cumulative window area along a building façade.
- E. Window signage is limited to the ground floor.
- F. See Sec. 1113.0304 *Building Sign Standards*.

1113.0302 Ground Signs

1113.0401 Purpose

These standards provide requirements for advertising when attached to the ground and not attached to or applied to a building.

1113.0402 Types of Ground Signs

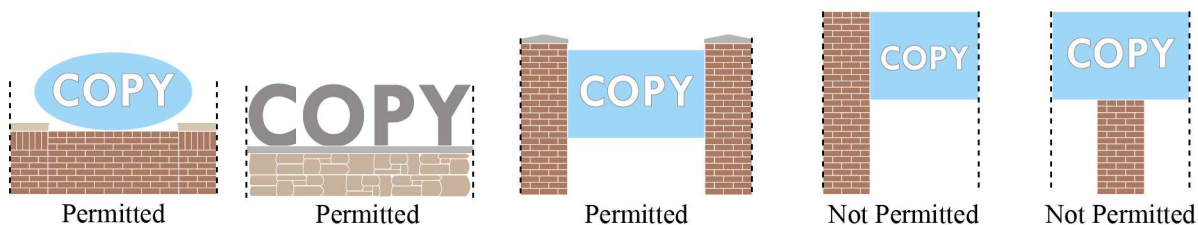
Ground Signs include all permanent signs which are attached to the ground. Each of the following is considered a ground sign, and specific standards can be found within the following sections:

- A. Sec. 1113.0404 *Low-Profile Ground Sign*
- B. Sec. 1113.0405 *Medium-Profile Ground Sign*
- C. Sec. 1113.0406 *High-Profile Ground Sign*
- D. Sec. 1113.0407 *Shopping Center Ground Sign*
- E. Sec. 1113.0408 *Residential Monument Sign*
- F. Sec. 1113.0409 *A-Frame Sign*

1113.0403 Ground Sign Standards

The following standards apply to all ground signs, including low profile, medium profile, high profile, and shopping center ground signs, as well as residential monument signs:

- A. All ground sign braces or uprights shall be self-supporting structures permanently attached to concrete foundations in or upon the ground.
- B. All ground signs shall be located on a premises with a principal building. Encroachment into the public right-of-way is only permitted with a Right-of-Way Encroachment Permit from the Division of Building Inspections.
- C. One ground sign is permitted per premises, per right-of-way frontage. A premises with frontage along only one street is permitted a maximum of one permitted ground sign. A premises with two frontages, such as on a corner of two streets, is permitted a maximum of two permitted ground signs with one sign located along each right-of-way.
- D. A ground sign may be included within a permitted wall or fence.
- E. For permitted materials, see Sec. 1113.1001 *Permitted Materials for Permanent Signs*.
- F. Any supporting structure beneath the element of the sign which contains copy shall be the same width or wider than the copy element. Copy area may not extend beyond the width of the supporting structure.



1113.0404 Low Profile Ground Sign

The following requirements apply to low profile ground signs:



- A. A Sign Permit is required.
- B. The maximum sign height is limited to 3 feet, 6 inches.
- C. The maximum sign face area is limited to 35 square feet.
- D. The minimum setback from street curb is 10 feet.
- E. The minimum setback from any entrance/exit drive is 10 feet.
- F. An Electronic Message Center (EMC) is permitted as a part of a low profile ground sign, and may sized up to one-half (1/2) of the utilized sign face area.
 - 1. If an EMC is included on a low profile ground sign, the EMC cabinet must be surrounded on at least 2 complete sides by another material, such as a base, header, building materials or metal framing. Materials shall be chosen to match the principal building in material and/or color.
- G. See Sec. 1113.0403 *Ground Sign Standards*.
- H. If no portion of a low-profile ground sign is internally illuminated, the maximum sign height may be increased to 6 feet. For any sign over 3 feet 6 inches in height, the minimum setback from any curb is 18 feet. Other applicable standards, including the maximum sign area of 35 square feet and all requirements of Sec. 1113.0403 *Ground Sign Standards*, still apply.

1113.0405 Medium Profile Ground Sign

The following requirements apply to medium profile ground signs:

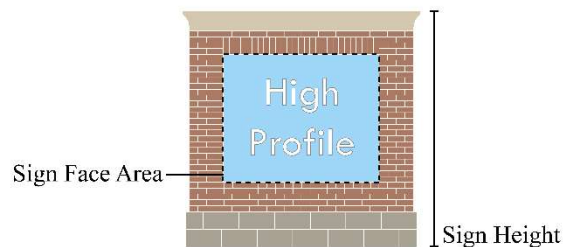


- A. A Sign Permit is required.
- B. The maximum sign height is limited to 8 feet.
- C. The maximum sign face area is limited to 60 square feet.

- D. The maximum sign width is limited to 20 feet.
- E. The minimum setback from street curb is 18 feet.
- F. The minimum setback from any entrance/exit drive is 10 feet.
- G. The minimum side yard setback is 10 feet.
- H. For every 3 square feet of sign face area, the sign shall also include at least 1 square foot of brick, stone, metal, and/or other building materials as permitted in Sec. 1109.0500 *Building Façade Materials and Color*. Materials shall be selected and designed to match the architecture of the principal building.
- I. An Electronic Message Center (EMC) is permitted as a part of a medium profile ground sign, and may sized up to one-half (1/2) of the utilized sign face area.
 - 1. If an EMC is included on a medium profile ground sign, the EMC cabinet must be surrounded on at least 2 complete sides by another material, such as a base, header, building materials or metal framing. Materials shall be chosen to match the principal building in material and/or color.
- J. Visible support poles are prohibited.
- K. See Sec. 1113.0403 *Ground Sign Standards*.

1113.0406 High Profile Ground Sign

The following requirements apply to high profile ground signs:



- A. A Sign Permit is required.
- B. The maximum sign height is limited to 12 feet.
- C. The maximum sign face area is limited to 90 square feet.
- D. The maximum sign width is limited to 20 feet.
- E. The minimum setback from street curb is 18 feet.
- F. The minimum setback from any entrance/exit drive is 10 feet.
- G. The minimum side yard setback is 10 feet.
- H. For every 3 square feet of sign face area, the sign shall also include at least 1 square foot of brick, stone, metal, and/or other building materials as permitted in Sec. 1109.0500 *Building Façade Materials and Color*. Materials shall be selected and designed to match the architecture of the principal building.
- I. The sign shall be designed to harmonize with the principal building and surrounding architecture

by incorporating the same architectural base and top treatments as the principal building. This includes wainscot and wall materials, cornice details, roof shape, and roof material. Other features and details such as decorative masonry and columns are encouraged.

J. A high profile ground sign shall be supported on a full base foundation that does not allow air to pass beneath the sign.

K. Visible support poles are prohibited.

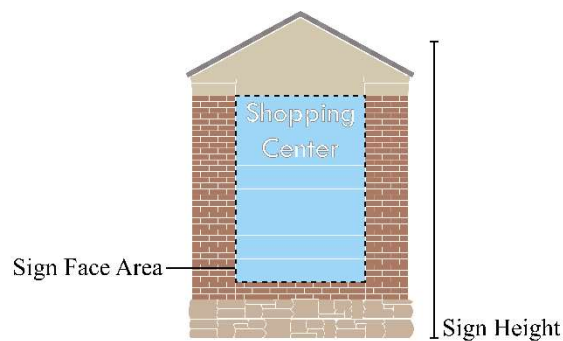
L. An Electronic Message Center (EMC) is permitted as a part of a high profile ground sign, and may sized up to one-half (1/2) of the utilized sign face area.

1. If an EMC is included on a high profile ground sign, the EMC cabinet must be surrounded on at least 2 complete sides by another material, such as a base, header, building materials or metal framing. Materials shall be chosen to match the principal building in material and/or color.

M. See Sec. 1113.0403 *Ground Sign Standards*.

1113.0407 Shopping Center Ground Sign

The following requirements apply to shopping center ground signs:



A. A Sign Permit is required.

B. The maximum sign height is limited to 16 feet.

C. The maximum sign face area is limited to 120 square feet.

D. The maximum sign width is limited to 20 feet.

E. The minimum setback from street curb is 23 feet.

F. The minimum setback from any entrance/exit drive is 10 feet.

G. The minimum side yard setback is 10 feet.

H. For every 3 square feet of sign face area, the sign shall also include at least 1 square foot of brick, stone, metal, and/or other building materials as permitted in Sec. 1109.0500 *Building Façade Materials and Color*. Materials shall be selected and designed to match the architecture of the principal building.

I. The sign shall be designed to harmonize with the principal building and surrounding architecture by incorporating the same architectural base and top treatments as the principal building. This includes wainscot and wall materials, cornice details, roof shape and roof material. Other features and details such as decorative masonry and columns are encouraged.

J. A shopping center ground sign shall be supported on a full base foundation that does not allow air to pass beneath the sign.

- K. Visible support poles are prohibited.
- L. An Electronic Message Center (EMC) is not permitted as a part of a shopping center ground sign.
- M. See Sec. 1103.0700 *Shopping Center Sign Control Overlay District* for additional standards.
- N. See Sec. 1113.0403 *Ground Sign Standards*.

1113.0408 Residential Monument Sign

The following requirements apply to residential monument signs:



- A. A Sign Permit is required.
- B. The maximum sign height is limited to 6 feet.
- C. The maximum sign face area is limited to 60 square feet.
- D. The minimum setback from street curb is 18 feet.
- E. The minimum setback from any entrance/exit drive is 10 feet.
- F. The minimum side yard setback is 10 feet.
- G. If any portion of the sign is internally illuminated, for every 2 square feet of sign face area, the sign shall also include at least 1 square foot of brick, stone, metal, and/or other building materials as permitted in Sec. 1109.0500 *Building Façade Materials and Color*. Materials shall be selected and designed to match the architecture of the principal building.
- H. An Electronic Message Center (EMC) permitted as a part of a residential monument sign may occupy up to one-half (1/2) of the utilized sign face area. See requirements for Electronic Message Centers in proximity to residential zoning districts and uses in Sec. 1113.0506 *Electronic Message Center*.
 - 1. If an EMC is included on a residential monument sign, the EMC cabinet must be surrounded on at least 2 complete sides by another material, such as a base, header, building materials or metal framing. Materials shall be chosen to match the principal building in material and/or color.
- I. See Sec. 1113.0403 *Ground Sign Standards*.

1113.0409 A-Frame Sign

The following requirements apply to a-frame signs:



- A. A Sign Permit is not required
- B. The maximum sign height is limited to 3 feet, 6 inches.
- C. The maximum sign width is limited to 3 feet.
- D. The minimum unobstructed pedestrian space along the sidewalk is 4 feet.
- E. The maximum number of signs per frontage is 1.
- F. Right-of-way encroachment is permitted by-right.
- G. An A-frame sign must not interfere with pedestrian or vehicle travel. Sign placement shall not block any street corner, pedestrian crossing, visibility zone, vehicle or bicycle travel lane, Americans with Disability Act (ADA) ramps, ADA parking, bicycle parking, bus stop, or fire zones.
- H. An A-frame sign shall be constructed of rigid materials that present a finished appearance, including but not limited to those listed in 1113.1001 *Permitted Materials for Permanent Sign*. An A-frame sign shall not contain illumination or windblown devices, including balloons.
- I. An A-frame sign shall only be displayed in front of the use it advertises and only during business hours. The sign shall be removed and stored when the business or use is closed.

1113.0410 Administrative Variances

The Plan Commission acknowledges the continued development of construction materials and methods. The Planning Director may, upon proper application and review, vary the requirements of this Chapter provided the proposed design offers a unique, one-of-a-kind appearance that meets the stated purpose of this Chapter and other related Chapters.

1113.0411 Signs Permitted in Overlay Zoning Districts

For additional standards within Overlay zoning districts, see Chapter 1103. In the event of conflict between standards, the most restrictive standards apply.

1113.0303 Special Sign Types

1113.0501 Purpose

This section applies to other signs types not listed in Sec. 1113.0200 *Signs Permitted in Zoning Districts*. Most special sign types do not require a sign permit, unless otherwise stated. If a sign permit is required, permits for such signs and permit costs shall follow the applicable requirements and costs for Building Signs and Ground Signs as outlined in Sec.1113.0102 *Permit Required*.

1113.0502 Address Identification Sign

- A. Address identification numbering is required for all properties to identify the street address and/or unit number.

1113.0503 Building Identification Sign

- A. See Sec. 1103.0205G *Building Identification Signs*.
- B. A sign permit is required.

1113.0504 Changeable Copy Sign

- A. A changeable copy sign has letters and numbers which can be manually moved and changed. This includes readerboards with letters that can be physically replaced and excludes Electronic Message Centers.
- B. For any permitted ground sign, up to 75% of the sign face area may be changeable copy. Changeable copy is permitted for any percent of a permitted building sign.

1113.0505 Directional Sign

- A. A directional sign may be either a ground sign or building sign.
- B. Pole-mounted directional signs are limited to 3 feet, 6 inches in height and 4 square feet of sign face area.
- C. Directional signs on a full-base foundation that are designed with building materials to match the architecture of the principal building are limited to 3 feet, 6 inches in height and 6 square feet of sign face area.
- D. Directional signs may be located on the same lot as a ground sign.
- E. A directional sign is subject to the standards of Sec. 1113.1001 *Permitted Materials for Permanent Signs*.
- F. The Planning Director may modify or waive the above-listed requirements for properties within the IC | Institutional Campus, IP | Planned Industrial, or CR-SO Shopping Center Sign Control Overlay zoning classifications upon the approval of a master sign plan.

1113.0506 Electronic Message Center (EMC)

- A. An Electronic Message Center is an electronically controlled message center or reader board where copy and graphics are shown on a screen or series of lamps or pixels.
- B. Prior to receipt of a sign permit to install a new EMC, all signage on the subject premises shall first be in conformance with all requirements of this Chapter.
- C. An EMC is only permitted as a part of a low profile, medium profile, or high profile ground sign, or a residential monument sign. An EMC is not permitted as any building sign, a shopping center ground sign, or another special sign type except for an internal sign.
- D. An EMC is only allowed on a parcel with CR, CR-SO, IL, IG, or IC zoning provided the parcel has frontage on a major street. An EMC is only allowed on a parcel with RS, RD, or RM zoning provided the parcel has frontage on a major street and the structure(s) exceeds 5,000 square feet of floor area. Additionally, EMCs are prohibited in certain overlays; see Chapter 1103, *Overlay Zoning Districts*.
- E. Regardless of the underlying zoning district, an EMC shall not be installed in any Historic Overlay District (-HO), the Downtown Overlay District (-DOD), the Warehouse District Overlay, or the Maumee Riverfront Overlay (-MRO).

- F. Only one (1) EMC shall be permitted per premises. For the purpose of this chapter, a ground sign with 2 identical sides, each with 1 identical EMC cabinet per side, shall be considered 1 EMC.
- G. An EMC which only includes numerals and only one color, also known as a digital price board, is exempt from these requirements.
- H. All EMCs shall conform to the following graphic standards:
 - 1. EMCs located within one hundred (100) feet of a residentially zoned district or use must be turned off when the use is closed or between the hours of 10:00 p.m. and 6:00 a.m., whichever is more restrictive. Illumination shall be so arranged as to reflect light away from residential premises and in such a manner so as not to cast glare.
 - 2. Displayed messages may change no more than one time every eight (8) seconds.
 - 3. Movement including animation, flashing and scrolling is prohibited at all times. Only static text or images are permitted.
 - 4. EMCs shall be designed and operated with automatic dimming features that adjust illumination from daylight to night time maximums and provide the owner/operator of the EMC the ability to reduce the illumination and/or brightness to adjust to background and ambient light conditions. These controls may include an auxiliary photocell on or near the sign.
 - 5. The eye illuminance limit shall effectively be 0.0 foot-candles (fc); which means that the increase above ambient levels of lighting caused by switching on the sign shall not exceed 0.3 fc measured at one-hundred (100) feet from the sign standing as near as perpendicular to the sign as possible, or at the edge of the pavement no more than one-hundred (100) feet from the sign using a foot-candle meter held five (5) feet above grade.
 - 6. Brightness shall be verified with two measurements. The first is taken at least 30 minutes past sunset and records the ambient light while the sign is off or displaying all black copy, or with the sign's illumination blocked. The second reading is taken while the sign is on and not blocked. Measurements shall be taken at the same location, with the meter aimed toward the center of the sign.
 - 7. If the difference between the measurements is equal to or less than 0.3 fcs, the brightness is properly adjusted; otherwise the sign must comply with the bright standards set forth above.
 - 8. White, red, yellow or green lights may be used, unless in the opinion of the Director of Public Service and/or the Division of Transportation, such colors create a driving hazard.

1113.0507 Home Occupation Sign

- A. A Home Occupation Sign is a non-internally-illuminated wall sign in a residential zoning district.
- B. A Home Occupation Sign is limited to 6 square feet and is subject to the standards of Sec. 1113.1001 *Permitted Materials for Permanent Signs*.

1113.0508 Internal Sign

- A. An internal sign is an exterior ground sign which is oriented to patrons already within the subject site and is not oriented to the right-of-way or neighboring properties. Internal signage includes but is not

limited to menu boards and scoreboards. For Directional Signs, see Sec. 1113.0505 *Directional Sign*.

- B. Internal signage which is internally-illuminated or includes an EMC may only be illuminated when the business or use is open, and is exempt from the EMC graphic standards of Sec. 1113.0506H.
- C. Signage which is oriented to the right-of-way or neighboring properties is subject to the standards for applicable signage.
- D. An internal sign is subject to the standards of Sec. 1113.1001 *Permitted Materials for Permanent Signs*.
- E. A sign permit is required.

1113.0509 Mural

A. A mural is any artwork, figure, inscription, graphic, graffiti, marking or design that is painted, marked, etched, scratched, drawn or applied on any property. A mural may not contain business names, logos, trademarked images, contact information, product images, advertising, or branding. A mural permit from the Arts Commission is required. A sign permit is not required.

- B. The inclusion of business names, contact information, logos, trademarked images, or branding in a mural is considered a Wall Sign and the entire graphic area is subject to the requirements for a Wall Sign.
- C. A mural shall be clearly separate and independent from any wall sign. Any mural which is proposed on the same building wall as a wall sign shall be spatially separated from and topically unrelated to the wall sign.

1113.0510 Private Street Sign

A. A private street sign must follow standards for street signs as outlined by the Ohio Department of Transportation and shall be approved by the City of Toledo Division of Transportation.

1113.0511 Temporary Sign

This Chapter permits three types of temporary signs: yard signs and temporary banners. The requirements for each are as follows:

- A. A yard sign is a sign of a temporary nature attached to the ground and not attached to a building.
 - 1. A yard sign is permitted by-right in all zoning districts, and is limited to a time period of 6 months.
 - 2. In all Residential zoning districts, a yard sign is limited to a maximum area of six square feet and a maximum height of 42 inches, with no limit to the permitted number of such signs.
 - 3. In all Non-residential zoning districts, a yard sign is limited to a maximum area of 32 square feet and a maximum height of 6 feet, with a maximum of one yard sign per frontage.
 - 4. A yard sign shall be constructed of wood, corrugated plastic, or a similar rigid, durable material. A yard sign shall maintain a clean, high quality appearance and shall be kept free of missing paint, tears, deterioration, collapse, fading, etc.
 - 5. A yard sign shall not be located in the public right-of-way. Any yard sign over 42 inches in height shall be located at least 18 feet from any curb.
- B. A temporary banner is a sign of a temporary nature attached to a building or structure and not attached to the ground.

1. A banner is permitted by-right in all zoning districts, and use is limited to a maximum of 2 occurrences per building or tenant space per calendar year.
2. If the subject building or tenant space has no other existing building signage, a banner is permitted for a maximum duration of 60 days and the maximum size shall be in accordance with Sec. 1113.0303 *Total Building Sign Area Allocation*.
3. If the subject building or tenant space has existing building signage, a banner is permitted for a maximum duration of 14 days and the maximum size is limited to 32 square feet.
4. A sign permit is required for a temporary banner.

1113.0512 Vehicle Sign

- A. Vehicles used in the operation of a business or organization may display identification signage for that respective business or organization. This includes but is not limited to property maintenance services, traveling sales, and distribution.
- B. Vehicles with the primary use of advertising are not permitted.
- C. Any sign painted on or attached to an operable or inoperable vehicle, part of a vehicle, or trailer located in view of a public or private street, when in a location or for a period of time that indicates that the use of the vehicle is for displaying the sign to the general public, is prohibited.

1113.0304 Prohibited Signs

1113.0601 Purpose

This section applies to signs which are not permitted to be installed in any zoning district.

1113.0602 Types of Prohibited Signs

- A. Any sign which the Division of Transportation determines obstructs or hampers the view of motorists, bicyclists, or pedestrians. This includes but is not limited to the following:
 1. Any portion of a sign which extends above 3 feet 6 inches from grade within 18 feet of street curb.
 2. Illuminated, highly reflective signs or spotlights.
 3. Any intermittent or flashing light, strobe-like lighting, blinking or travelling light, projected lighting, changing degrees of light intensity, animation, or any other means not providing constant illumination. Electronic Message Centers are subject to their respective standards.
 4. Signs, lights, rotating disks, words, and other devices which resemble traffic signals, traffic signs, emergency vehicle lights, or emergency warning devices, except as otherwise authorized by the Toledo Municipal Code.
- B. Any sign which mechanically moves. This excludes vehicle signs that are otherwise permitted.
- C. Wind-blown signs, inflatable signs, pennant flags, feather flags, flags which contain copy, or other signs or decorative elements which are designed to be moved by air.
- D. Any sign which interferes with free passage from or obstructs any fire escape, window, door, downspout, stairway, ladder, or opening intended as a means of ingress or egress or providing light or air, except as otherwise permitted.

- E. Any sign placed in the public right-of-way without a right-of-way encroachment permit. Any sign which is placed on any curb, sidewalk, post, pole, light fixture, bollard, hydrant, bridge, tree, or other surface located on public property or over or across any street or public thoroughfare except as otherwise authorized by the Toledo Municipal Code, including this Chapter.
- F. Any sign affixed to the outside of buildings, barns, sheds, trees, poles, bollards, fences, or other structures which is not otherwise permitted as a part of this code.
- G. Any sign unlawfully erected or maintained.
- H. Any sign which contains graphics depicting nudity or semi-nudity as defined in Ohio Revised Code Section 2907.39(A)(10) and (12) or contains content of an obscene, profane, slanderous, or pornographic nature including but not limited to as defined in Toledo Municipal Code Section 767.01(n).
- I. Any sign which emits a sound, odor, or matter.
- J. Any sign which is not expressly permitted as a part of this code.

1113.0305 Legal Nonconforming signs

1113.0701 Purpose

A legal nonconforming sign is a sign which was established legally in the past but does not conform to one or more requirements of this chapter. A sign which was never established legally shall be considered an Unlawful Sign as described in Sec. 1113.0110 *Unlawful Signs*.

1113.0702 Requirements for Legal Nonconforming Signs

A legal nonconforming sign is permitted to remain in operation, subject to the following requirements:

- A. No legal nonconforming sign or part of a nonconforming sign shall be structurally altered, constructed, converted from non-EMC to EMC or vice versa, re-erected, additionally illuminated, changed in size, or moved unless the entire sign and structure are brought into conformity with this Sign Code or removed by the owner of the premises. Poster panel replacements, cabinet re-faces, copy changes, same-size EMC replacements, and complete demolitions are permitted. Structural changes including changes to the pole, foundation, sign frame, or building materials on existing nonconforming signs are not permitted unless the sign is brought fully into compliance with this Chapter.
- B. If the premises on which the sign is located undergoes Plan Commission review, including but not limited to a Site Plan Review or Special Use Permit, any nonconforming signage on the premises shall be brought fully into compliance with this Sign Code as a part of the review and approval process.
- C. Prior to receipt of a sign permit to install a new Electronic Message Center (EMC), all legal nonconforming signage on the subject premises shall be brought fully into compliance with this Sign Code. This does not include the replacement of an existing EMC.

1113.0703 Loss of Nonconforming Status

- A. A sign loses its legal nonconforming status if the site that the sign advertises is vacant for more than 6 months. The subject site must be in operation for a minimum of 30 consecutive days during the 6 month period to maintain legal nonconforming status.

B. At the point that a sign loses its legal nonconforming status, the sign shall be considered an Unlawful Sign and shall be immediately improved to meet the requirements of this Sign Code or removed by the owner of the premises.

1113.0306 Removal and Disposition of Signs

1113.0801 Maintenance and Repair

All signs shall be maintained in a safe, presentable and good structural material condition at all times, including the repair or replacement of defective parts, painting, repainting, cleaning, and other acts required for the maintenance of such sign.

1113.0802 Abandoned Sign

Except as otherwise provided in this Chapter, any sign which is located on property that becomes vacant and unoccupied for a period of 6 months or more, or any sign which fails to meet the requirements of Sec. 1113.0109 *Maintenance* for a period of 6 months or more; or any sign which pertains to a time, event, or purpose which no longer applies; or any sign which no longer contains copy or advertises goods, products, services, or facilities, shall be deemed an abandoned sign. The following requirements apply to abandoned signs:

- A. Any sign which is deemed an abandoned sign and fully conforms with all requirements of this chapter may remain as a conforming sign, but shall have any copy removed. Any area which housed copy shall be refaced with a blank white face. The owner of the property may also use this area to advertise that the property is for lease, for rent, or for sale, if he or she desires, via a permitted sign type.
- B. Any sign which is deemed an abandoned sign and does not fully conform with all requirements of this chapter shall be considered an Unlawful Sign and shall be removed by the owner or operator of the premises and/or the owner of the sign, or brought fully into compliance with this Chapter. Failure by the owner or operator of the premises to remove the abandoned sign may result in removal of the sign by the City of Toledo as described in Sec. 1113.0805 *Disposal of Signs; Fees* and Sec. 1113.0806 *Assessment Procedures* as well as penalties as described in Sec. 1113.0906 *Penalty*.

1113.0803 Dangerous or Defective Signs

No owner or operator shall maintain or allow to be maintained any sign which is in a dangerous or defective condition. Any such sign shall be removed or repaired by the owner or operator of the premises and/or the owner of the sign, or shall be considered an Unlawful Sign.

1113.0804 Notice of Liability

A. In addition to any other penalty provided for in the Sign Code, the Sign Inspector may issue a Notice of Liability to the owner or operator of the premises upon which any sign code violation exists. Said notice shall describe the location and nature of the Sign Code violation, the time and date it was observed and the fine assessed to the owner.

- B. The Notice of Liability shall be served upon the owner by first class United States mail or by personal service.
- C. Any owner charged with a Notice of Liability may appeal said notice as provided by Sec. 1111.2000 *Appeals of Administrative Decisions*. The failure to file an appeal shall constitute a waiver of the right to contest and an admission of the Notice of Liability.
- D. A Notice of Liability for the first offense shall be seventy-five dollars (\$75.00). A second

violation shall result in a fine of one hundred fifty dollars (\$150.00). A third and any subsequent violation shall result in a fine of three hundred dollars (\$300.00). Payment of a fine under this section may be enforced by means of a civil action or any other means provided by the Ohio Revised Code.

- E. An owner may be found liable under this section regardless of whether the owner has or has not been issued orders pursuant to other provisions of this Sign Code.

1113.0805 Disposal of Signs; Fees

A. A sign and/or sign structure, including but not limited to Unlawful Signs, may be removed by the Sign Inspector pursuant to the provisions of this chapter and shall become the property of the City and may be disposed of in any manner deemed appropriate by the City. The cost of removal of the sign by the City shall be considered a debt owed to the City by the owner of the sign and the owner of the property, and may be recovered in an appropriate court action by the City or by assessment against the property as hereinafter provided. The cost of removal shall include any and all incidental expenses incurred by the City in connection with the sign's removal.

- B. When the Sign Inspector orders the removal of a sign and/or sign structure, he may give written notice of the removal order to the owner or operator, together with a brief written statement of the reasons for the order.
- C. When it is determined by the Sign Inspector that a sign would cause an imminent danger to the public safety, and contact cannot be made with a sign owner or building owner, no written notice shall have to be served. In this emergency situation, the Sign Inspector may correct the danger, all costs being assessed against the property as hereinafter provided.
- D. Signs found in the public right of way, and not otherwise permitted, may be removed by the Sign Inspector without notice and without compensation.

1113.0806 Assessment Procedure

A. The notice given by the Sign Inspector shall state the violation and the remedial action required to be taken and shall also state that if such action is not taken within the thirty days, the Sign Inspector may remove the sign declared to be unlawful.

- B. In the event that the owner of the premises, or person entitled to the possession or the owner of the sign fails to comply with the notice to repair, rehabilitate, or demolish the Unlawful Sign, the owner of the sign, the owner of the premises upon which the sign is located, and/or the person entitled to possession thereof (if other than the owner of the premises), may be prosecuted for violation of this Chapter. The Sign Inspector may remove the sign declared to be unlawful.
- C. The cost of removing or correcting the unlawful feature of the sign may be assessed against the property on which the sign is located, together with the additional five percent for inspection and incidental costs and an additional ten percent penalty for the cost of collection. This total cost may be collected in the same manner as real estate taxes against the property.
- D. If it shall be necessary for the Sign Inspector to remove a sign pursuant to the provisions hereof, and it should be practicable to sell or salvage any material derived in the aforesaid removal, he may sell the same at the best price obtainable, and shall keep an account of the proceeds thereof. Such proceeds, if any, shall be deposited in the General Fund of the City, and any differences between the amount so received and the cost of the removal shall be levied as an assessment against the property on which the sign is located, by Council certified to the Auditor of Lucas County, and collected as any other assessment by the City of Toledo. Should the proceeds of the

sale of such salvaged material exceed the cost of such removal, the over-plus, if any, shall be paid to the owner of the premises from which such sign was removed, or to the owner of such sign, whichever land whenever proper claim therefor is established.

- E. Each such assessment shall be a lien against each lot or tract of land assessed until paid, and shall have priority over all other liens except general taxes and prior special assessments.
- F. The owner of the premises as listed in the office of the Lucas County Auditor or Lucas County Recorder shall be presumed to be the owner of all signs thereon, unless the contrary shall appear from facts brought to the attention of the Sign Inspector.

1113.0807 Street Improvement Projects

Any sign located in or projecting over a public right of way or path of travel, whether or not such is due to the expansion of public right-of-way or path of travel, shall be brought fully into conformance with the requirements of this code or removed at the expense of the sign owner.

1113.0307 Administration and Enforcement

1113.0901 Sign Inspector

The Sign Inspector is hereby authorized and directed to enforce and carry out all provisions of this Sign Code, both in letter and in intent. The Sign Inspector is authorized to promote regulations and procedures consistent with the purpose of this Code. The Sign Inspector is further empowered to delegate the duties and powers granted to and imposed upon him or her under this Code. As used in this Code, "Sign Inspector" shall also include the Planning Director's authorized representative.

1113.0902 Inspection by Sign Inspector

The Sign Inspector is hereby empowered to enter or inspect any building, structure or premises in the City in which a sign is located, for the purpose of inspection of a sign, its structural and electrical connections and to ensure compliance with the provisions of this Chapter. Such inspections shall be carried out during business hours unless an emergency exists.

1113.0903 Appeals

Appeals and requests for variance are subject to review of the Board of Zoning Appeals as outlined in Sec. 1111.1700 *Variances*. Variances shall only be approved when the applicant successfully demonstrates and the Board of Zoning Appeals finds substantial evidence that all of the items listed in Sec. 1111.1705 *Approval Criteria* are met. Appeals to waive any sign or any part of a sign which is prohibited may not be granted by the Board of Zoning Appeals.

1113.0904 Code Violations and Enforcement

- A. The penalties provided in this Chapter for violations of or failure to comply with provisions of this Chapter shall be cumulative and shall be in addition to any other penalty provided by law.
- B. Except as otherwise provided in this Chapter, any sign which is not in compliance with all of the provisions of this Chapter shall be deemed an Unlawful Sign.

1113.0905 Assurance of Discontinuance

The Sign Inspector may accept an assurance of discontinuance of any offense deemed in violation of this Chapter, from any person engaging in, or who has engaged in such offense. Such assurance shall specify a time limit during which such discontinuance is to be accomplished. Failure to produce any such assurance and/or failure to fully correct the offense in the specified time limit shall constitute proof of a violation of this Chapter.

1113.0906 Penalty

- A. No owner or operator shall fail to obey any order issued pursuant to this Chapter. No owner or operator shall cause, permit, allow, maintain or fail to abate a violation of this Chapter.
- B. Whoever violates or fails to comply with any provisions of this Code or the owner or user of an unlawful sign or the owner of property upon which an unlawful sign is located shall for each and every violation or non-compliance be deemed guilty of a minor misdemeanor for a first offense. For any second offense within any twelve month period, such persons or organizations shall be deemed guilty of a misdemeanor of the fourth degree.
- C. Every person concerned in the violation of or failure to comply with this Chapter, whether he directly commits the act or aids and abets the same, and whether present or absent, shall be proceeded against and held as principal. Provided, however, that the owner of property on which an unlawful sign is located, who is not also the owner or user of the unlawful sign, shall be subject to such misdemeanor penalties only if demand for alteration of the unlawful sign shall have been mailed to such owner and/or posted on the property, and the demand has not been complied with for more than thirty days.
- D. Any sign installed or modified without a required permit shall be subject to a Stop Work Order and all applicable regulations as outlined in TMC 1319.02.
- E. No owner or operator shall cause, permit, allow, maintain, or fail to abate a violation of this Chapter.
- F. Each day a violation of this Chapter exists shall constitute a separate offense.

1113.0907 Amendments

Amendments to this code are subject to the standards of Sec. 1111.0500 *Text Amendments*.

1113.0308 Construction Specifications

1113.1001 Permitted Materials for Permanent Signs

All permanent building and ground signs shall be made of high quality, durable, rigid materials. Permitted materials include but are not limited to masonry, solid wood, metal, High-Density Urethane (HDU), formed plastic, and other permitted building materials as listed in Sec. 1109.0500 *Building Façade Materials and Color*. Vinyl, fabric, and other materials that do not meet the above requirements are not permitted on permanent signs. For temporary sign materials, see Sec. 1113.0511 *Temporary Sign*.

1113.1002 Compliance with Building Code

All signs shall comply with the appropriate detailed provisions of the Building Code. Signs shall also comply with the provisions of the Ohio Building Code, the National Electrical Code, and the additional construction standards set forth in this chapter. In the event of conflict between codes, the most restrictive provision applies.

1113.1003 Identification and Marking

Electrical signs shall be marked with input amperages at the full load input similar to the Underwriters Laboratories (UL) 48.

1113.1004 Clearance from High Voltage Power Lines

Signs shall be located at least 12 feet from overhead electrical conductors which are energized in excess of 750 volts. Signs located in the vicinity of electrical conductors energized with less than 750 volts

shall maintain horizontal and/or vertical clearances from all overhead electrical conductors in accordance with the specifications of the National Electrical Code. However, in no case shall a sign be installed less than 3 feet from any electrical conductor or public utility guy-wire.

1113.1005 Ground Sign Support

Foundations shall be designed to carry the weight and the wind load of the sign where it is placed. Such structures or poles shall be fabricated only from concrete or steel or other materials approved by the Chief Building Official.

1113.1006 Electric signs

All electric signs shall conform to the standards of the National Electrical Code and of the Underwriters' Laboratories, Inc. The full number of illuminating elements thereof shall be kept in safe and working condition or immediately repaired or replaced, if faulty. Signs that are only partially illuminated shall meet all electrical requirements for that portion illuminated. All electric signs shall have a disconnect switch located in accordance with the provisions of the Building Code and the National Electric Code.

1113.1007 Glass

When glass is used for sign letters or transparent or translucent panels, it shall be at least double strength thickness for sign areas up to and including 300 square inches. When glass is used for sign letters or transparent or translucent panels for sign areas in excess of 300 square inches at least one-quarter inch wire glass shall be used and the maximum span between supports shall be four feet.

1113.1008 Neon

An electrical permit is required for neon. All neon signage shall meet the National Electric Code.

1113.1009 Plastic

Plastic shall be of thickness and shape necessary to withstand wind loadings as required in the Ohio Building Code. Proper provision shall provide for thermal contraction and expansion.

1113.1010 Strength of Wall, Parapet Wall, or Roof

A wall, parapet wall, or roof shall be designed for and have sufficient strength to support any sign which is attached thereto.

1113.1011 Sign Anchoring

Signs shall be anchored to prevent any lateral movement that would cause wear on supporting members or connections. No sign shall be suspended by chains or other devices that will allow the sign to swing due to wind action, unless specifically designed by means of bearings or other methods approved, to allow for movement.

1113.0309 License Required

1113.1101 Sign Contractor's License

No person shall perform any work or service for any business, organization, person, government entity or otherwise in connection with the erection, construction, enlargement, alteration, repair, moving, improvement, maintenance, conversion or manufacture of any sign in the City unless such person or his or her employer has first obtained a Sign Contractor's License from the Division of Building Inspections, or shall be represented by a duly licensed agent or subcontractor.

- A. Before any manufacturer can engage in the manufacturing of an electrical sign, he must demonstrate the ability to issue the UL (48) electrical label pertinent to electric signs, electrical sign specification or some similar electrical labeling requirement and any other requirements as

recommended by the National Electrical Code.

1113.1102 Application

- A. All prospective applicants for the sign contractor's license must first pass a test which will be offered on or about June 1 and December 1 of each year.
- B. An application for a license shall be made in writing upon blanks furnished by the Division of Building Inspections.
- C. Nothing herein shall be construed to mean that any sign contractor shall be required to secure separate licenses for each class of work mentioned.
- D. On the filing of such application, upon passing the written examination and upon payment of the registration fee and qualifying as herein provided, the Division of Building Inspections shall issue to such applicant a license which shall bear the following:
 - 1. A number, consecutive in order of issuance;
 - 2. The date of issuance and expiration thereof;
 - 3. The name and address of such sign shop or office; and
 - 4. The name of the owner thereof.

1113.1103 Expiration

- A. The original registration fee and its subsequent annual renewal shall be for the year of registration or any fraction thereof. Registrations issued in accordance with this chapter shall expire at the end of the day on December 31, but may be renewed for the next succeeding year period by payment of the annual renewal fee on or before close of business, January 31, of the next succeeding year.
- B. If a person holding a valid registration under the provisions of this chapter in any year fails to renew such license before the annual renewal fee is due, shall be considered a new applicant and must pay the original registration fee.

1113.1104 Fees

- A. The original fee to obtain a Sign Contractor's License shall be \$200.00. This fee shall be paid prior to license issuance.
- B. A Sign Contractor's License shall be renewed annually for a fee of \$140.00. This fee shall be paid prior to license renewal.

1113.1105 Indemnification for Sign Installation and Maintenance

As a condition to the issuance of a license as required by this chapter, all persons engaged in the business of installing or maintaining signs shall agree to hold harmless and indemnify the City, its officers, agents and employees, from any and all claims of negligence resulting from the erection, alteration, relocation and maintenance of a sign or other sign work insofar as this Code has not specifically directed the placement of a sign.

1113.1106 Insurance

- A. Every applicant for a Sign Contractor's License shall, before such license is granted, file with the City a satisfactory certificate of insurance to indemnify the City against any form of liability in accordance with the following categorization, or shall be responsible through any agent or subcontractor:

- B. All applicants or agents providing the service of fabricating and/or erecting any sign shall indemnify the City against any form of liability to a minimum of five hundred thousand dollars (\$500,000). The insurance shall be maintained in full force and effect during the term of business license and such insurance policy or certificate shall provide that the City be notified of any cancellation of the insurance ten days prior to the date of cancellation.

1113.0310 **Definitions and Calculations**

1113.1201 Abandoned sign

A sign which no longer correctly directs or exhorts any person or advertises a business, lessor, owner, product or activity conducted or product available on the premises where such sign is displayed.

1113.1202 Address Identification

Number(s) and/or letters which identify the street address of the property. Also known as Premises Identification.

1113.1203 A-frame Sign

A small, unlit, freestanding portable ground sign that is displayed during business hours and removed when the business is closed. Also known as a “sandwich board.”

1113.1204 Animated Sign

Any sign which includes action or motion, or the illusion of action or motion produced by changes in illumination. Any sign which includes alpha-numeric characters and graphics which show action by means of sequential illumination, that is, cartoon-like images appearing in motion or action.

1113.1205 Awning or Marquee Sign

A shelter, fully or partially fixed-in-place, supported entirely from the exterior wall of a building and composed of rigid or non-rigid materials except for the supporting framework, on which copy is attached or adhered.

1113.1206 Banner

A sign composed of lightweight material either enclosed or not enclosed in a rigid frame, secured or mounted so as to allow movement of the sign caused by wind.

1113.1207 Building Identification Sign

See Chapter 1116.

1113.1208 Building Wall

All wall area including windows of a building in one plane or elevation.

1113.1209 Building Frontage

The linear width of a building facing the right of way.

1113.1210 Building Sign

A sign which is attached or applied to a building, as opposed to a sign which is attached to the ground. A building sign may include a wall sign, projecting sign, awning or marquee sign, or window sign.

1113.1211 Cabinet

An enclosed sign structure, typically internally illuminated, which contains multiple pieces of lettering, numbering, graphics, and/or background area.

1113.1212 Changeable Copy

A sign on which copy or sign panels are changed manually in the field, i.e., reader boards with changeable letters or changeable pictorial panels. This does not include Electronic Message Centers.

1113.1213 Channel Letters

Internally illuminated letters, numbers, and other symbols. May be mounted directly onto a building or sign structure, or on a raceway.

1113.1214 Clear Height

The vertical dimension between the ground beneath the sign and the lowest element of the sign.

1113.1215 Copy

Any letters, numbers, symbols, logos, images, symbols, characters, or other graphics attached to a sign for the purpose of advertising, branding, directing attention, conveying a message, or wayfinding.

1113.1216 Copy Area

The cumulative area in square feet of the smallest rectangle or circle that can be drawn around each individual word and each individual cabinet. For individual letters, including channel letters and dimensional letters, the descender portions of letters are exempt from this calculation. For a sign painted on a building or ground sign, copy area is the area in square feet of the smallest rectangle that can be drawn around the painted graphic area.



1113.1217 Dimensional Letters

Letters, numbers, and other symbols which are not internally illuminated. May be made of a variety of materials including but not limited to metal, acrylic, wood, or high-density urethane.

1113.1218 Directional Sign

A sign that orients pedestrian and vehicular traffic to different areas within a development.

1113.1219 Directory Sign

A wall sign or window sign that lists the name of businesses, organizations, firms, or tenants of a unified project or site.

1113.1220 Electrical Sign

Any sign containing electrical wiring which is attached or intended to be attached to an electrical energy source.

1113.1221 Electronic Message Center (EMC)

An electronically controlled message center or readerboard where copy and graphics are shown on a screen or series of lamps or pixels.

1113.1222 Erected

Attached, altered, built, constructed, reconstructed, enlarged or moved. This includes the painting of wall signs, but does not include copy changes on any sign.

1113.1223 Externally-Illuminated Sign

Any sign which does not directly emanate light, but has light cast on it by another source such as a ground-mounted lighting, floodlights, or gooseneck lighting.

1113.1224 Feather Flag

A vertically elongated piece of cloth or other flexible material typically attached to a plastic or metal shaft and secured to the ground.

1113.1225 Flag

A piece of cloth or similar material varying in size, shape, color, and design, usually attached at one edge to a staff or cord and which may be imprinted with an advertising message or design, or colored to attract attention.

1113.1226 Flashing Sign

Any sign which contains an intermittent or flashing light source, or an externally-mounted intermittent light source. Electronically controlled message centers are classified as “electronic message centers.”

1113.1227 Frontage

The property line parallel to and along each public right of way it borders, excluding alleys. A midblock parcel shall be deemed to have one frontage, a parcel at a corner typically has two frontages.

1113.1228 Ground Sign

A permanent sign attached to or placed on the Earth, including landscape and hardscape, and not attached to any building. This includes but is not limited to a low profile, medium profile, high profile, or shopping center ground sign, a residential monument sign, or an a-frame sign.

1113.1229 High Profile Ground Sign

A ground sign no more than 12 feet tall with no more than 90 square feet of sign face area.

1113.1230 Home Occupation Sign

A non-internally-illuminated wall sign in a residential zoning district.

1113.1231 Internally-Illuminated Sign

Any sign which emanates light. Including but not limited to cabinet signs, channel letters, and electronic message centers.

1113.1232 Internal Sign

A sign which is oriented to patrons already within the subject site and is not oriented to the right-of-way or neighboring properties. Internal signage includes but is not limited to menu boards and scoreboards.

1113.1233 Legal Nonconforming Sign

Any advertising structure or sign which was erected and maintained legally, and which fails to conform to all applicable regulations and restrictions of this current Chapter.

1113.1234 Low-Profile Ground Sign

A ground sign, typically no more than 3 feet 6 inches tall, with no more than 35 square feet of sign face

area.

1113.1235 Lot

See Chapter 1116.

1113.1236 Maintain

To permit a sign, structure, or any part of each to continue or to repair or refurbish a sign, structure or any part of either.

1113.1237 Marquee

A permanent roof-like shelter extending from part or all of the building face, typically over a public right-of-way, and constructed of a durable material such as metal, glass, wood, or plastic.

1113.1237 Maximum

The greatest value or dimension that is permitted. If a required maximum is stated, but no minimum is stated, no minimum requirement exists.

1113.1239 Medium Profile Ground Sign

A ground sign no more than 8 feet tall with no more than 60 square feet of sign face area.

1113.1240 Message

The wording or copy on a sign.

1113.1241 Minimum

The smallest value or dimension that is permitted. If a required minimum is stated, but no maximum is stated, no maximum requirement exists.

1113.1242 Mural

Any artwork, figure, inscription, graphic, graffiti, marking or design that is painted, marked, etched, scratched, drawn or applied on any property.

1113.1243 Nameplate

A non-electric sign identifying only the name and occupation or profession of the occupant of the premises on which the sign is located. If any premises include more than one occupant, “nameplate” refers to all names and occupations or professions as well as the name of the building and directional information.

1113.1244 Operator

Any person who has charge, care of or control of a premises or a part thereof whether with or without the knowledge and consent of the owner. Any person who alone or jointly or severally with others shall have legal or equitable title to any premises with or without accompanying actual possession therefrom or shall have charge, care or control of premises as owner or agent of the owner, or as executor, administrator, trustee, receiver or guardian of the estate or as a mortgagee in possession. Any person who as a lessee, or sublessee subletting as reassigning any part or all of any premises shall be deemed to be a co-owner with the lessor and shall have joint responsibility over the portion of the premises sublet or assigned by such lessee. The vendor or vendee under a land installment contract who has care, custody, control or the right to enter on the premises or real property.

1113.1245 Owner

Any person, corporation, partnership, limited partnership, limited liability partnership, or any shareholder, officer, trustee, partner, agent or employee of any of the above who has care, custody, control or charge of a premises or part thereof, has legal title to the premises, or has done any act to

maintain or operate the premises. May also include any person having vested or contingent interest in the property in question.

1113.1246 Parapet

The portion of a building wall that rises above the roof level.

1113.1247 Pennant flag

A tapering flag, typically triangular in shape.

1113.1248 Person

Any individual, corporation, association, firm, partnership and the like, singular or plural.

1113.1249 Premises

See Chapter 1116.

1113.1250 Principal building

See Chapter 1116.

1113.1251 Private Street Sign

A sign which advertises a private street.

1113.1252 Projecting Sign

An sign attached directly to a supporting building wall and intersecting the building wall midblock at a right angle (90°), or when located on an intersection of two streets and when desired by the applicant, at an angle following the corner of the building (135°). The area of a double-faced projecting sign is calculated on one face of the sign only. A projecting sign with more than two faces shall be considered an Awning or Marquee Sign.

1113.1253 Public Right-of-Way

See Chapter 1116.

1113.1254 Residential Monument Sign

A freestanding sign no more than 6 feet in height with no more than 60 square feet of sign face area which is located in a residential zoning classification.

1113.1255 Roof line

The top edge of the roof or the top of the parapet, whichever forms the top line of the building silhouette.

1113.1256 Roof sign

Any sign erected upon, against or directly above a roof or on top of or above the parapet of a building.

1113.1257 Setback from Curb

The horizontal dimension from the portion of a sign closest to the curb to the curb edge or a vertical plane extending upwards from the curb edge, whichever is less.

1113.1258 Side Yard Setback

The horizontal dimension from the portion of a sign closest to the side lot line and the side lot line.

1113.1259 Shopping Center Ground Sign

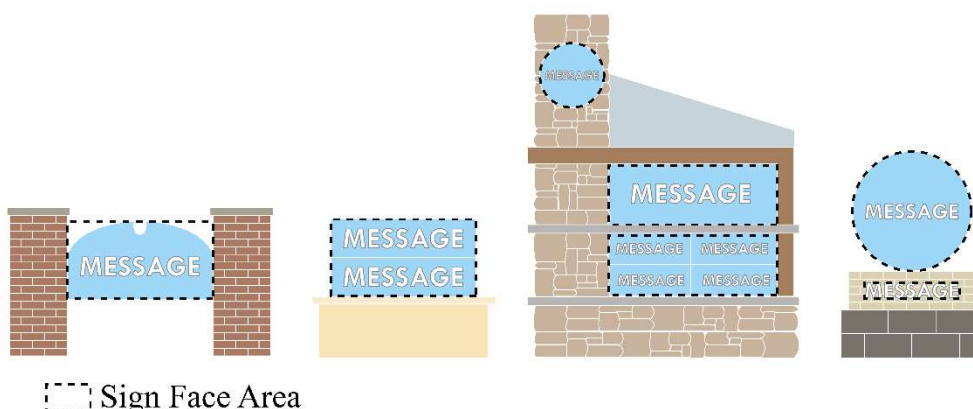
A ground sign no more than 16 feet tall with no more than 120 square feet of sign face area which advertises a multi-tenant shopping center within the Shopping Center Sign Control Overlay.

1113.1260 Sign

Any identification, description, illustration, symbol, statute or device illuminated or nonilluminated which is visible from any public place or is located on private property and exposed to the public view from outside the property where located and which directs attention to a product, service, place, activity, person, institution, business, or solicitation, including any permanently installed or situated merchandise; or any emblem, painting, banner, flag, pennant, placard, or temporary sign designed to advertise, identify or convey information, to including any landscaping wherein letters, numbers, or symbols are used for the purpose of directing the public’s attention to a product or location with the exception of window displays and national flags. “Sign” also includes all sign structures.

1113.1261 Sign Face Area

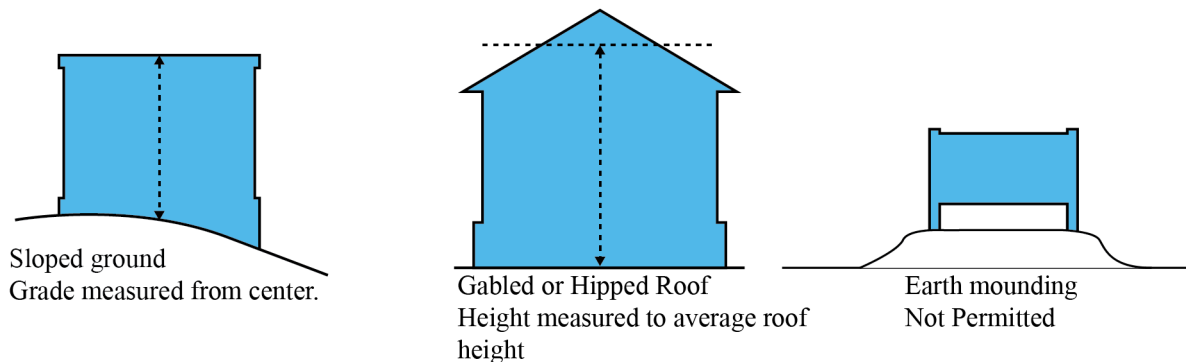
The cumulative area of the smallest rectangle(s) or circle(s) that can be drawn around the entire portion of a sign in which, against which, or through which, the message of the sign is displayed, and includes all those areas within a continuous perimeter enclosing the extreme limits of all the writing, display or presentation constituting such sign face, together with any other display material forming an integral part of such sign or used to differentiate the background against which such sign is placed. This does not include any decorative architectural feature or structural element which is similar to or compatible with the architecture of the principal building and surrounding developments and used for supporting and/or embellishing the sign.



For the purpose of this chapter, a ground sign is assumed to have two identical sides, and the stated limits apply to one of the two sides. If a ground sign is proposed to have two sides which are not back-to-back, the internal angle between the two sides shall be no greater than 90°. If a ground sign is proposed to have more than two sides with copy, the total maximum permissible area for all sides is equal to the permitted sign face area, times two.

1113.1262 Sign Height

The height of a ground sign shall be measured from the finished grade beneath the sign to the top of the highest element of the sign. This also includes any decorative architectural feature or structural element used for supporting and embellishing the sign. For a ground sign with a gabled or hipped roof to match the principal building, sign height measurements are per Sec. 1106.0206. Grade is determined by the land beneath the center of the sign. The height may not be artificially increased by the use of earth mounding. In cases of dispute, in cases in which the normal grade cannot reasonably be determined, or at the applicant’s choosing, sign height shall be measured from the nearest curb grade. The height of a building sign shall be measured from the lowest element of the sign to the highest element of the sign.



1113.1263 Sign Structure

Any structure which supports, has supported or is capable of supporting a sign, including a decorative cover.

1113.1264 Sign Width

The horizontal dimension across the face of a sign from the left-most point to the right-most point. This also includes any decorative architectural feature or structural element used for supporting and embellishing the sign.

1113.1265 Street

See Chapter 1116.

1113.1266 Temporary Sign

A sign which is not permanently affixed to the ground or any building. For A-frame signs, also known as sandwich boards, see “A-Frame sign.”

1113.1267 Unlawful sign

A sign which violates this code or which the Sign Inspector may declare as unlawful if it becomes dangerous to public safety or welfare by reason of dilapidation or abandonment or a nonconforming sign for which a permit required under a previous code was not obtained.

1113.1268 Use

The purpose for which a building, lot, sign or other structure is arranged, intended, designed, occupied or maintained.

1113.1269 Vehicle Sign

Any sign which is adhered to, painted onto, or otherwise affixed to an operable or inoperable vehicle. For the purpose of this chapter, “vehicle” includes automobiles as well as boats, trains, airplanes, and other self-moving transportation devices.

1113.1270 Wall Sign

A sign attached to or erected against a wall of a building, with the face parallel to the building wall and extending not more than one foot therefrom.

1113.1271 Window Sign

A sign, decal, sticker, poster, panel, wall, or other structure with or without copy that partially or fully obstructs visibility through a window. This term shall not include merchandise for sale which is located behind a window.

SECTION 4. That Toledo Municipal Code, Part Eleven, TMC§1107.2000, Sight Distance Setback, which reads as follows:

1107.2000| Sight Distance Setback

No fence, sign structure or planting which obstructs visibility between 42 inches and 84 inches above grade shall be maintained within 23 feet of the curb or pavement edge of any street.

Be amended to read as follows:

1107.2000| Sight Distance Setback

No fence, sign structure or planting which obstructs visibility between 42 inches and 84 inches above grade shall be installed or maintained within 18 feet of the curb or pavement edge of any street.

SECTION 5. That Toledo Municipal Code, Part Eleven, TMC§1103.0706, 1103.0707, 1103.08 and 1103.0709; Shopping Center Sign Control Overlay, which reads as follows:

1103.0706 Free-Standing Signs

- A. No more than one free-standing sign is allowed for each side of the commercial complex fronting on public right-of-way.
- B. Sign copy may include the name of the commercial complex, address, logo or name of the primary tenant, and tenant signs of uniform size not to exceed 30 square feet on each face per tenant.
- C. A changeable copy sign is permitted, provided such sign:
 - 1. is designed and installed as an integral part of the shopping center identification sign;
 - 2. the sign is permanently attached, affixed to and constructed as part of the area identification sign; and
 - 3. such signs are included in the total area (square footage) of sign face permitted.
- D. The maximum square footage of a free-standing sign face within an -SO district and the maximum permitted height shall be in accordance with those provisions regulating free-standing signs as regulated in Chapter 1387, Table 1 of the Building Code, except where this section establishes more restrictive provisions.
- E. Free-standing signs shall be set back at least 20 feet from the public right-of-way.

1107.0707 Fascia and Wall Signs

- A. An exterior fascia sign or wall sign shall include a canopy sign or an awning sign.
- B. Such signs are permitted for those business establishments whose principal means of egress/ingress for the general public is through an exterior entrance and separate from the shopping center entrance. Such signage shall be limited to that building frontage or face containing the principal means of egress/ingress.
- C. Fascia or wall signs for automatic service facilities (i.e., automatic bank teller machines and film drops) are permitted when the facility is installed on an exterior wall of the shopping center and available for use by the public during nonoperating hours of the shopping center. Sign width shall be limited to the width of the automatic service facility and shall not exceed 2 feet in height.
- D. Fascia or wall signs are permitted for individual business establishments when the building is located on an exterior lot of a shopping center. A maximum of two fascia signs shall be permitted for those buildings located on an exterior lot of a shopping center regardless of the

number of sides of the building fronting on a public right-of-way.

- E. The maximum square footage and location of all fascia or wall signs shall be in accordance with Section 1387.05(d) of the Building Code.

1103.0708 Low-Profile Signs

- A. One low-profile sign per building lot may be installed as an alternative and substitute to a fascia or wall sign for those business establishments located on an exterior lot of a shopping center.
- B. A low-profile sign shall not exceed 42 inches in height above the grade elevation of the nearest right-of-way. The copy on the low-profile sign shall be limited to name and/or logo of the business establishment.

1103.0709 Prohibited Signs

- A. On-Premise Free-Standing signs other than provided for in Sec. 1103.0706A
- B. Exterior signs for establishments not having the principal means of egress/ingress for the general public through an exterior entrance and separate from the shopping center entrance, except for those establishments which are part of a Unified Center Concept.

Be Repealed and a new Part Eleven; Sec. 1103.0706, 1103.0707, 1103.08 to read as follows:

1103.706 Ground Signs

- A. A ground sign for a shopping center within the -SO Shopping Center Sign Control Overlay shall be in accordance with the requirements of Sec. 1113.0407 *Shopping Center Ground Sign* or another permitted ground sign.

1107.0707 Building Signs

- A. Building signs are permitted for businesses whose primary entrance for the general public is through an exterior entrance and separate from the shopping center entrance. Such signage shall be limited to that building face containing a primary entrance, and shall be located above a primary entrance.
- B. Businesses whose primary entrance for the general public is located indoors within the shopping center and not through an exterior entrance may not offer building signs on the exterior of the building.
- C. Building signs for automatic service facilities and drive-throughs (i.e., automatic bank teller machines, film drops, and pharmacy windows) are permitted when the facility or window is installed on an exterior wall of the shopping center and available for use by the public. Sign area shall be limited to 6 square feet and shall be included within the requirements of 1113.0303 *Total Building Sign Area Allocation*.
- D. Building signs are permitted for individual businesses when the building is located on an outlot of a shopping center. A maximum of two building signs shall be permitted for those buildings located on an outlot of a shopping center.
 - 1. One low-profile sign per building lot may be installed as an alternative and substitute to one of the two permitted building signs for those business establishments located on an outlot of a shopping center.
- E. The maximum square footage and location of all Building Signs shall be in accordance with

1113.0303 *Total Building Sign Area Allocation.*

SECTION 6. That references to the Building Code replaced with references to Chapter 1113, which reads as follows:

1103.0205 Design Guidelines

G. Building Identification Signs

Signage shall comply with Part 13, Title 9, Chapter 1387, Signs Permitted in Zoning Districts, and the following regulations:

Be amended to read as follows:

1103.0205 Design Guidelines

G. Building Identification Signs

Signage shall comply with Chapter 1113, Signs, and the following regulations:

SECTION 7. That references to the Building Code replaced with references to Chapter 1113, which reads as follows:

1103.0913 Signage

Signage shall comply with Part 13, Title 9, Chapter 1387, Signs Permitted in Zoning Districts, and the following regulations:

F. Additional Off-Premise Signs (Billboards) are prohibited. Existing Off-Premise signs may remain subject to the regulations for legal non-conforming signs in Chapter 1395. Existing Off-Premise signs within the Monroe Street Corridor UNO district that are discontinued involuntarily due to a loss of lease rights may be replaced on another site within the Monroe Street Corridor UNO district that meets the siting criteria of Sec. 1387.05.K. The replacement sign shall comply with Sec. 1387.05.K. and have a total face area and number of faces less than or equal to the sign being replaced.

Be Repealed.

SECTION 8. That references to the Building Code replaced with references to Chapter 1113, which reads as follows:

1103.1217 Signage

Signage shall comply with Part 13, Title 9, Chapter 1387, Signs Permitted in Zoning Districts, and the following regulations:

H. Additional Off-Premise Signs (Billboards) are prohibited. Existing Off-Premise signs may remain subject to the regulations for legal non-conforming signs in Chapter 1395. Existing Off-Premise signs within the Monroe Street Corridor UNO district that are discontinued involuntarily due to a loss of lease rights may be replaced on another site within the Monroe Street Corridor UNO district that meets the siting criteria of Sec. 1387.05.K. The replacement sign shall comply with Sec. 1387.05.K. and have a total face area and number of faces less than or equal to the sign being replaced.

Be Repealed.

SECTION 9. That references to the Building Code replaced with references to Chapter 1113.1313, which reads as follows:

1103.1313 Signage.

Signage shall comply with Part 13, Title 9, [Chapter 1387](#) https://codelibrary.amlegal.com/codes/toledo/latest/toledo_oh/0-0-0-110450, Signs Permitted in Zoning Districts, and the following regulations:

- A. Building signs shall be located above the main entrance in the sign band area, on the upper facade wall. The sign shall be sized to allow the masonry to be fully exposed around the sign.
- B. No sign or part of a sign shall be located above the parapet of any facade. Roof mounted signs are prohibited.
- C. Building signs shall not exceed 75% of the width of the storefront opening.
- D. The shape of building signs shall be rectangular, or slight variations of rectangular forms, except business logos and/or corporate identity symbols are allowed.
- E. Projecting signs are allowed. The maximum projection is three and one-half (3 ½') feet and the minimum mounting height to the bottom of the sign shall be seven (7') feet.
- F. Window signs are allowed.
- G. Raceways, cabinets, box signs, moving, animated or intensely lighted signs, roof signs or signs that extend above a building roofline or parapet, and pole mounted signs are prohibited.
- H. Monument or ground signs are allowed.
- I. Additional Off-Premise Signs (Billboards) are prohibited. Existing off-premise signs may remain subject to the regulations for legal non-conforming signs in [Chapter 1395](#) https://codelibrary.amlegal.com/codes/toledo/latest/toledo_oh/0-0-0-110822.
- J. Each building shall display a street address as per City of Toledo Municipal Code.

To be amended to read as follows;

1103.1313 Signage.

Signage shall comply, Signs Permitted in Zoning Districts, and the following regulations:

- A. Building signs shall be located above the main entrance in the sign band area, on the upper facade wall. The sign shall be sized to allow the masonry to be fully exposed around the sign.
- B. No sign or part of a sign shall be located above the parapet of any facade. Roof mounted signs are prohibited.
- C. Building signs shall not exceed 75% of the width of the storefront opening.
- D. The shape of building signs shall be rectangular, or slight variations of rectangular forms, except business logos and/or corporate identity symbols are allowed.
- E. Projecting signs are allowed. The maximum projection is three and one-half (3 ½') feet and the minimum mounting height to the bottom of the sign shall be seven (7') feet.
- F. Window signs are allowed.
- G. Raceways, cabinets, box signs, moving, animated or intensely lighted signs, roof signs or signs that extend above a building roofline or parapet, and pole mounted signs are prohibited.
- H. Monument or ground signs are allowed.
- I. Each building shall display a street address as per City of Toledo Municipal Code.

SECTION 10. That references to the Building Code replaced with references to Chapter 1113.1413 which reads as follows:

1103.1413 Signage.

Signage shall comply with Part 13, Title 9, [Chapter 1387](#) https://codelibrary.amlegal.com/codes/toledo/latest/toledo_oh/0-0-0-110450, Signs Permitted in Zoning Districts, and the following regulations:

- A. Building signs shall be located above the main entrance in the sign band area, on the upper facade wall. The sign shall be sized to allow the masonry to be fully exposed around the sign.
- B. No sign or part of a sign shall be located above the parapet of any facade. Roof mounted signs are prohibited.
- C. Building signs shall not exceed 75% of the width of the storefront opening.
- D. The shape of building signs shall be rectangular, or slight variations of rectangular forms, except business logos and/or corporate identity symbols are allowed.
- E. Projecting signs are allowed. The maximum projection is three and one-half (3½') feet and the minimum mounting height to the bottom of the sign shall be seven (7') feet.
- F. Window signs are allowed.
- G. Raceways, cabinets, box signs
- H. Moving, animated or intensely lighted signs, roof signs or signs that extend above a building roofline or parapet, and pole mounted signs are prohibited.
- I. Monument or ground signs are allowed.
- J. Additional Off-Premise Signs (Billboards) are prohibited. Existing off-premise signs may remain subject to the regulations for legal non-conforming signs in [Chapter 1395](#) https://codelibrary.amlegal.com/codes/toledo/latest/toledo_oh/0-0-0-110822.
- K. Each building shall display a street address as per City of Toledo Municipal Code. The street address shall also appear on any alley building elevation.

Be amended to read as follows;

1103.1413 Signage.

Signage shall comply, Signs Permitted in Zoning Districts, and the following regulations:

- A. Building signs shall be located above the main entrance in the sign band area, on the upper facade wall. The sign shall be sized to allow the masonry to be fully exposed around the sign.
- B. No sign or part of a sign shall be located above the parapet of any facade. Roof mounted signs are prohibited.
- C. Building signs shall not exceed 75% of the width of the storefront opening.
- D. The shape of building signs shall be rectangular, or slight variations of rectangular forms, except business logos and/or corporate identity symbols are allowed.
- E. Projecting signs are allowed. The maximum projection is three and one-half (3½') feet and the minimum mounting height to the bottom of the sign shall be seven (7') feet.
- F. Window signs are allowed.
- G. Raceways, cabinets, box signs
- H. Moving, animated or intensely lighted signs, roof signs or signs that extend above a building roofline or parapet, and pole mounted signs are prohibited.
- I. Monument or ground signs are allowed.
- J. Each building shall display a street address as per City of Toledo Municipal Code. The street address shall also appear on any alley building elevation.

SECTION 11. That references to the Building Code replaced with references to Chapter 1113, which reads as follows:

1103.1514 Signage.

Signage shall comply with Part 13, Title 9, Chapter 1387, Signs Permitted in Zoning Districts, and the following regulations:

- A. Building signs shall be located above the main entrance in the sign band area, on the upper facade wall. The sign shall be sized to allow the masonry to be fully exposed around the sign.
- B. No sign or part of a sign shall be located above the parapet of any facade. Roof mounted signs are prohibited.
- C. Building signs shall not exceed 65% of the width of the street façade.
- D. Creative and unique sign designs are encouraged.
- E. Projecting signs are allowed. The maximum projection is three and one-half (3½') feet and the minimum mounting height to the bottom of the sign shall be seven (7') feet.
- F. Signs and graphics painted or applied directly to the window glass are allowed. Vinyl window graphics applied directly to the glass are allowed. Both signs and graphics should not exceed 25% of the window area or obstruct visibility inside or outside of the window.
- G. Raceways, cabinets, box signs, moving, animated or intensely lighted signs, roof signs or signs that extend above a building roofline or parapet, and pole mounted signs are prohibited.
- H. Monument or ground signs are allowed.
- I. Additional Off-Premise Signs (Billboards) are prohibited. Existing off-premise signs may remain subject to the regulations for legal non-conforming signs in Chapter 1395.
- J. Each building shall display a street address as per City of Toledo Municipal Code. The street address shall also appear on any alley building elevation.
- K. Sign Illumination
 - 1. External Illumination:
 - a. External light sources shall be placed close to, and directed into, the sign and shielded to minimize glare into the street, sidewalks or onto adjacent properties.
 - b. Project light fixtures used for externally illuminated signs shall be simple and unobtrusive in appearance. They should not obscure the sign.
 - 2. Internal illumination:
 - a. Channel letters may be internally lit or back-lit.
 - b. For cabinet signs, the background must be opaque. Only graphics, text and logos may be illuminated, and a halo of one inch around graphics, text, and logos may be non-opaque.
 - c. Exposed neon may be used for lettering or as an accent.
- L. Signs for commercial or industrial businesses with exterior lighting:
 - 1. For the second floor and above of the existing structure, all exterior lights must be dimmed by half or to 50% of their illumination capacity by 11 pm.
 - 2. All entryways shall remain at light as deemed necessary by the owners or occupants.

Be amended to read as follows:

1103.1514 Signage.

Signage shall comply, Signs Permitted in Zoning Districts, and the following regulations:

- A. Building signs shall be located above the main entrance in the sign band area, on the upper facade wall. The sign shall be sized to allow the masonry to be fully exposed around the sign.
- B. No sign or part of a sign shall be located above the parapet of any facade. Roof mounted signs are prohibited.
- C. Building signs shall not exceed 65% of the width of the street façade.
- D. Creative and unique sign designs are encouraged.
- E. Projecting signs are allowed. The maximum projection is three and one-half (3½') feet and the minimum mounting height to the bottom of the sign shall be seven (7') feet.

F. Signs and graphics painted or applied directly to the window glass are allowed. Vinyl window graphics applied directly to the glass are allowed. Both signs and graphics should not exceed 25% of the window area or obstruct visibility inside or outside of the window.

G. Raceways, cabinets, box signs, moving, animated or intensely lighted signs, roof signs or signs that extend above a building roofline or parapet, and pole mounted signs are prohibited.

H. Monument or ground signs are allowed.

I. Each building shall display a street address as per City of Toledo Municipal Code. The street address shall also appear on any alley building elevation.

J. Sign Illumination

1. External Illumination:

a. External light sources shall be placed close to, and directed into, the sign and shielded to minimize glare into the street, sidewalks or onto adjacent properties.

b. Project light fixtures used for externally illuminated signs shall be simple and unobtrusive in appearance. They should not obscure the sign.

2. Internal illumination:

a. Channel letters may be internally lit or back-lit.

b. For cabinet signs, the background must be opaque. Only graphics, text and logos may be illuminated, and a halo of one inch around graphics, text, and logos may be non-opaque.

c. Exposed neon may be used for lettering or as an accent.

K. Signs for commercial or industrial businesses with exterior lighting:

1. For the second floor and above of the existing structure, all exterior lights must be dimmed by half or to 50% of their illumination capacity by 11 pm.

2. All entryways shall remain at light as deemed necessary by the owners or occupants.

SECTION 12. That this Ordinance hereby is declared to be an emergency measure and shall be in force and effect from and after its passage. The reason for the emergency lies in the fact that same is necessary for the immediate preservation of the public peace, health, safety and property, and that this Ordinance must be immediately effective in order to provide for the orderly development of the area and to protect the land values in the area.

Vote on emergency clause: yeas _____, nays _____.

Passed: _____, as an emergency measure: yeas _____, nays _____.

Attest: _____
Clerk of Council

President of Council

Approved: _____

Mayor

I hereby certify that the above is a true and correct copy of an Ordinance passed by Council

_____.

Attest: _____
Clerk of Council